

HOUSE BILL No. 1834

DIGEST OF INTRODUCED BILL

Citations Affected: IC 27-7-6.5.

Synopsis: Motor vehicle excess medical payments coverage. Defines "excess medical payments coverage" as supplemental insurance coverage for medical expenses related to bodily injury of an insured under a motor vehicle insurance policy. Requires an insurer to offer excess medical payments coverage with limits of not less than \$250,000 to every purchaser of a motor vehicle insurance policy. Provides that excess medical payments coverage must cover bodily injury of an insured regardless of the negligence of an insured. Provides that the insurer is subrogated to the rights of the insured to the extent of the costs of medical expenses paid by the insurer under the excess medical payments coverage upon determination of liability for the motor vehicle accident from which the medical expenses arise.

Effective: July 1, 1999.

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January 26, 1999, read first time and referred to Committee on Insurance, Corporations and Small Business.



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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1834

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 27-7-6.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1999]:
4 **Chapter 6.5. Motor Vehicle Insurance - Excess Medical**
5 **Payments Coverage.**
6 **Sec. 1. (a) As used in this chapter, "excess medical payments**
7 **coverage" means coverage for medical expenses related to bodily**
8 **injury of an insured provided as a supplement to medical payments**
9 **coverage in a motor vehicle insurance policy.**
10 **(b) As used in this chapter, "insured" means an individual in**
11 **whose name a motor vehicle liability policy is issued, the**
12 **individual's spouse, and members of the individual's household as:**
13 **(1) passengers in a motor vehicle; or**
14 **(2) pedestrians if hit by a motor vehicle.**
15 **(c) As used in this chapter, "motor vehicle insurance policy"**
16 **means the kind of insurance described in Class 2(f) of IC 27-1-5-1.**
17 **Sec. 2. (a) An insurer must offer to every purchaser of a motor**

1999

IN 1834—LS 6820/DI 97+



1 vehicle insurance policy excess medical payments coverage with
2 limits of not less than two hundred fifty thousand dollars
3 (\$250,000).

4 (b) Excess medical payments coverage offered under subsection
5 (a) must cover medical expenses related to bodily injury of an
6 insured sustained in a motor vehicle accident, regardless of the
7 negligence of an insured.

8 (c) When a determination is made regarding liability for the
9 motor vehicle accident from which payments are made under
10 excess medical payments coverage, the insurer is subrogated to the
11 rights of the insured to the extent of the amount paid by the
12 insurer.

13 SECTION 2. [EFFECTIVE JULY 1, 1999] IC 27-7-6.5, as added
14 by this act, applies to a motor vehicle insurance policy issued,
15 delivered, amended, or renewed after June 30, 1999.

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